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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 08-00187 JW
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
)	SENTENCING HEARING;
13 v.)	[PROPOSED] ORDER
)	
14 ALEJANDRO ESTRADA-MARTINEZ,)	
aka Steven Estrada-Martinez,)	
15)	
Defendant.)	
16		

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the sentencing hearing in the above-captioned matter, presently
19 scheduled for Monday, June 23, 2008, be continued to Monday, July 7, 2008, at 1:30 p.m. The
20 continuance is requested because the defense is still working to obtain the transcript of Mr.
21 Estrada's guilty plea in the state matter that has resulted in an enhancement in his offense level.
22 Initially, the defense obtained the wrong transcript, and now, the defense has learned that the
23 court reporter who prepared the correct transcript was a temporary employee, and the Superior
24 Court is still attempting to locate her. To allow time for this process, the defense requests that
25 the hearing be moved from June 23, 2008, July 7, 2008.

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1 The parties further agree that no exclusion of time is necessary because Mr. Estrada-
2 Martinez has already pled guilty pursuant to a binding plea agreement.

3 Dated: 6/18/08

/s/
LARA S. VINNARD
Assistant Federal Public Defender

5 Dated: 6/18/08

/s/
JEFFREY SCHENK
Assistant United States Attorney

7
8 **ORDER**

9 The parties have jointly requested a continuance of the sentencing hearing set for June 23,
10 2008, to allow additional time for the defense to obtain the transcript from the defendant's guilty
11 plea in a relevant state case.

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the sentencing hearing
13 date presently set for Monday, June 23, 2008, be continued to Monday, July 7, 2008, at 1:30 p.m.

14 No exclusion of time is necessary because the defendant has already entered a guilty plea.

15 Dated:

JAMES WARE
United States District Judge